

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

HEIDI HARRY,

Plaintiff,

v.

UNUM GROUP CORPORATION,

Defendant.

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No. _____

Judge _____

(IN THE CHANCERY COURT OF HAMILTON COUNTY, TENNESSEE)
(No. 11-0366)

DEFENDANT'S NOTICE OF REMOVAL

Defendant, pursuant to 28 *U.S.C.* §§ 1441 and 1446, respectfully submits this Notice of Removal of the action described below which is currently pending in the Chancery Court of Hamilton County, Tennessee, to the U.S. District Court for the Eastern District of Tennessee, at Chattanooga. In support of this Notice of Removal, Defendant states:

1. On or about May 6, 2011, a Complaint was filed against Defendant in the Chancery Court of Hamilton County, Tennessee, captioned Heidi Harry v. Unum Group Corporation, No. 11-0366. A copy of the Complaint was first served on Defendant on May 12, 2011. Pursuant to 28 *U.S.C.* § 1446(b), Defendant has timely filed this Notice of Removal within thirty (30) days of such service.

2. Attached hereto as **Exhibit A** are copies of the Summons and Complaint served on Defendant, along with the Cost Bond, which constitutes all process, pleadings, and orders received or otherwise known to Defendant in the state court action.

3. This Court has original jurisdiction herein pursuant to 28 *U.S.C.* § 1331, inasmuch as this is a civil action arising under the laws of the United States, i.e., the Family and Medical Leave Act, 29 *U.S.C.* § 2601 *et seq.*, and the Americans with Disabilities Act of 1990, 42 *U.S.C.* § 12102 *et seq.* See Complaint ¶¶ 20-22.

4. A notice of removal is being filed simultaneously with the state court and provided to all parties as required by 28 *U.S.C.* § 1446(d). A copy of such notice is attached as **Exhibit B.**

WHEREFORE, Defendant respectfully requests that the action now pending against it in the Chancery Court of Hamilton County, Tennessee, be removed to this Court pursuant to 28 *U.S.C.* § 1441 *et seq.*

Respectfully submitted,

MILLER & MARTIN PLLC

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Attorneys for Defendant
UNUM Group (f/k/a Unum Provident
Corporation)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that an exact copy of this pleading has been served upon counsel for all parties in this action, or upon said parties themselves as required by law, by depositing a copy of the same in the United States Mail, with sufficient postage affixed thereto to ensure delivery to the following:

Randall L. Larramore
Paty, Rymer and Ulin P.C.
19 Patten Parkway
Chattanooga, TN 37402
r-larramore@prandulaw.com

This 10th day of June, 2011.

By: s/ Stacie L. Caraway